

Coleford Neighbourhood Development Plan 2017-2026

**A report to Forest of Dean District Council on the
Coleford Neighbourhood Development Plan**

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Executive Summary

- 1 I was appointed by Forest of Dean District Council in April 2018 to carry out the independent examination of the Coleford Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood plan area on 11 May 2018.
- 3 The Plan includes a range of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on safeguarding local character, maintaining the separation of the various settlements one from the other and adding value to site specific policies in emerging Allocations Plan.
- 4 The Plan has been underpinned by community support and engagement over a long period. It is clear that all sections of the community have been actively engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Coleford Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

Andrew Ashcroft
Independent Examiner
2 July 2018

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Coleford Neighbourhood Plan 2017-2026 (the 'Plan').
- 1.2 The Plan has been submitted to Forest of Dean District Council (FDDC) by Coleford Town Council in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework in 2012 and which continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether or not the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted plan has been designed to be distinctive in general terms, and to be complementary to the development plan in particular. It seeks to add value to the Core Strategy and the Allocations Plan within the neighbourhood area.
- 1.6 Within the context set out above this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the plan area and will sit as part of the wider development plan.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by FDDC, with the consent of the Town Council, to conduct the examination of the Plan and to prepare this report. I am independent of both FDDC and the Town Council. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 35 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral System.

Examination Outcomes

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan is submitted to a referendum; or
 - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
 - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.

The Basic Conditions

- 2.5 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State; and
 - contribute to the achievement of sustainable development; and
 - be in general conformity with the strategic policies of the development plan in the area;
 - be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations; and
 - not be likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects.

I have examined the submitted Plan against each of these basic conditions, and my conclusions are set out in Sections 6 and 7 of this report. I have made specific comments on the fourth and fifth bullet points above in paragraphs 2.6 to 2.12 of this report.

- 2.6 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 2.7 In order to comply with this requirement, the FDDC undertook a screening exercise (January 2017) on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. This report followed on from an earlier screening exercise. The January 2017 version had the advantage of being able to refer directly to a much more developed Plan. The report is thorough and well-constructed. As a result of this process FDDC concluded that the Plan is not likely to have any significant effects on the environment and accordingly would not require SEA. It reached this conclusion for three principal reasons:
- the Plan does not allocate any sites for development;
 - the Plan seeks to avoid or minimise environmental effects when determining development proposals; and
 - the Plan is unlikely to affect any designated sites in the vicinity or lead to other environmental effects.
- 2.8 The report includes the responses from the three statutory consultees for this process. This is best practice. I am satisfied that the SEA report complies with the basic conditions.
- 2.9 FDDC has also prepared a Habitats Regulations Assessment (HRA) of the Plan. It concludes that the Plan is not likely to have significant environmental effects on a European nature conservation site or undermine their conservation objectives alone or in combination taking account of the precautionary principle. As such Appropriate Assessment is not required. The assessment has been produced in a similar standard to the SEA screening report. It was screened in both April 2017 and February 2018 as the Plan was refined during that period. This approach is best practice. In reaching its conclusion the report took account of:
- any potential impacts on the River Wye and Severn SAC;
 - any potential impacts on the Wye Woodlands and the Walmore Common SACs;
 - any potential impacts on the Wye Valley and Forest of Dean Bat SAC; and
 - any potential impacts on the Severn Estuary SAC/SPA Ramsar site
- 2.10 Since the Plan was submitted a European court case has had implications for how competent authorities undertake HRA screening assessments. FDDC helpfully reassessed the Plan in this context during the examination. In doing so it has come to the same judgement as it did in February 2018.
- 2.11 Having reviewed the information provided to me as part of the examination, including the most recent HRA assessment, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. None of the statutory consultees have raised any concerns with regard to either neighbourhood plan or to

European obligations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.

- 2.12 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Other examination matters

- 2.13 In examining the Plan I am also required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
 - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
 - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.14 Having addressed the matters identified in paragraph 2.13 of this report I am satisfied that all of the points have been met subject to the contents of this report. In particular in Policy CC3 I have recommended the deletion of a proposed local green space that sits adjacent to the neighbourhood area. Whilst it is used and enjoyed by residents of the neighbourhood area and has been included in the Plan in good faith it fails the tests in the 2004 Act set out above.

3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted Plan and its various maps.
- the Basic Conditions Statement.
- the Consultation Statement
- the FDDC SEA and HRA reports.
- the FDDC HRA update (June 2018)
- the representations made to the Plan.
- the adopted Forest of Dean Core Strategy 2012.
- the adopted Forest of Dean Allocations Plan (June 2018).
- the National Planning Policy Framework (March 2012).
- Planning Practice Guidance (March 2014 and subsequent updates).
- relevant Ministerial Statements.

3.2 I carried out an unaccompanied visit to the Plan area on 11 May 2018. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. My site inspection is covered in more detail in paragraphs 5.9 to 5.16 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I was satisfied that the Plan could be examined without the need for a public hearing. I advised FDDC of this decision early in the examination process.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 the Parish Council has prepared a Consultation Statement. This Statement is proportionate to the Plan and its policies. It includes a very detailed assessment of the consultation undertaken as part of the various stages of Plan production. It also provides specific details on the consultation process that took place on the pre-submission version of the Plan (May to June 2017).
- 4.3 The Statement sets out details of the comprehensive range of consultation events that were carried out in relation to the initial stages of the Plan. Sections 5 and 6 provide details about:
- the initial consultation events (April – July 2014)
 - The Bus Tour (November 2014)
 - Drop in events (May/June 2014)
 - Baptist Church workshops (September 2013)
 - The Main Place workshops (February and April 2015)
- 4.4 The Statement also comments about how its key policies were influenced by the various events and the feedback received.
- 4.5 The Statement sets out how the submitted Plan took account of consultation feedback at the pre-submission phase. Section 7.3 identifies the principal changes that worked their way through into the submission version. They help to describe the evolution of the Plan.
- 4.6 It is clear that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation. The key strength of the consultation process has been its depth and variety. Whilst this has resulted in the Plan taking longer to reach its submission and examination phases there is a real sense that the community has been diligently and openly engaged in this process. It is reflected in the relatively limited number of representation received for what is a wide-ranging neighbourhood plan.
- 4.7 From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned

throughout the process. FDDC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

Representations Received

4.8 Consultation on the submitted plan was undertaken by the District Council for a six-week period that ended on 25 April 2018. This exercise generated comments from a range of organisations and private individuals as follows:

- Historic England
- Mr J Hawkins
- Gladman Developments Limited
- MF Freeman
- Hannick Homes
- Environment Agency
- The Coal Authority
- FDDC
- Dwr Cymru Welsh Water
- National Grid
- The Canal and River Trust
- Highways England
- Mr Steven Hill

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area consists of the parish of Coleford. Its population in 2011 was 8359 persons living in 3685 houses. It was designated as a neighbourhood area on 11 July 2013. Coleford is one of the four principal towns in the Forest of Dean. It is located approximately five miles to the east of Monmouth and five miles to the south west of Cinderford. Its north-western corner lies within the Wye Valley Area of Outstanding Natural Beauty. The A4136, one of the principal roads in the District, runs in an east-west direction through the northern part of the neighbourhood area.
- 5.2 The neighbourhood area is based around distinctive communities. Coleford is the largest of the communities and sits within the centre of the neighbourhood area. It lies in a bowl at the confluence of various streams. Coalway, Broadwell and Mile End lie to the east. These three communities are linked by a road which runs in a generally north-south direction with a series of junctions. The northern end of the neighbourhood area directly abuts Berry Hill.
- 5.3 The neighbourhood area includes significant parcels of attractive countryside. They provide a strong landscape and visual context to the various settlements. The relationship between the principal settlements and their surrounding agricultural landscapes translates into several policies in the Plan.

Development Plan Context

- 5.4 The development plan covering the neighbourhood plan area is the Core Strategy 2012 together with the saved policies of the Forest of Dean Local Plan 2005. The Core Strategy sets out a vision, objectives, a spatial strategy and overarching planning policies that guide new development in the District up until 2026. The Plan has been designed to respect this period.
- 5.5 Policy CSP4 sets out a focus for new development based around the existing towns in the District. Policy CSP5 identifies a requirement for 650 new dwellings in Coleford (which includes Milkwall, Coalway, Mile End and Berry Hill in the Plan period. The Core Strategy also includes a series of settlement policies. Coleford is included as Policy CSP14.
- 5.6 The Basic Conditions Statement usefully highlights the key policies in the development plan and how they relate to policies in the submitted Plan. This is good practice. It provides confidence to all concerned that the submitted Plan sits within its local planning policy context.
- 5.7 The emerging Allocations Plan 2026 was well-advanced at the time this examination started. Following the receipt of the Inspector's report on 20 June the Plan was adopted on 28 June 2018. The Allocations Plan is complementary to the Core Strategy and provides further details around the key allocated development sites.

The evolution of the submitted neighbourhood plan has allowed it to take account of these sites. The Allocations Plan proposes the following development sites in the neighbourhood area:

AP56	Lawnstone
AP57	Former Courts and Police Station
AP58	King's Head Public House
AP60	Land adjoining Suntory Factory Coleford
AP61	Tufthorn Avenue and Pingry Farm – Employment Sites
AP62	Staunton Road
AP63	Land at Poolway Farm
AP64	Land at Ellwood Road, Milkwall
AP65	North Road Broadwell
AP66	Kings Meade Coleford
AP67	Tufthorn Avenue Coleford

- 5.8 The submitted Plan has been prepared within its wider adopted and emerging development plan context. In doing so it has relied on up-to-date information and research that has underpinned existing and emerging planning policy documents in the District. This is good practice and reflects key elements in Planning Practice Guidance on this matter.

Site Visit

- 5.9 I carried out an unaccompanied visit to the Plan area on 11 May 2018.
- 5.10 I drove into the Plan area from the east along the A4136. This gave me an initial impression of the character of the neighbourhood area and its strategic relationship with the wider Forest of Dean area.
- 5.11 I looked initially at the variety of proposals in the town centre. I saw their relationship to existing business and retail services.
- 5.12 I then took the opportunity to walk to the south of the town centre towards the Tufthorn Industrial Estate. In doing so I took the opportunity to walk along the former railway line in this part of the town. It was a pleasant walk. It is not difficult to understand its popularity as a cycle track.
- 5.13 I then looked at the various proposed local green spaces proposed in the Plan. I saw their different sizes and uses and their importance within the wider context of the town itself. I spent a significant part of my time looking at the variety of proposed local green spaces to the west of Victoria Road. They were a very pleasant surprise.
- 5.14 I then drove into the connected settlements of Coalway, Broadwell and Mile End.
- 5.15 I looked at the Berry Hill Lower Lane site in the northern part of the Plan area. This helped me to understand the Plan's proposal to include this parcel of land within the

Green Ring and a representation which made specific commentary about its recent planning history.

- 5.16 I finished my visit by driving and walking in the areas to the west, north and east of Coleford itself to see the Plan area in its wider landscape setting. It also helped me to understand the nature of the relationship between the various settlements and the reasoning for Policy CNE2 in the Plan.

6 The Neighbourhood Plan as a whole

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented, informative and very professional document.
- 6.2 The Plan needs to meet all the basic conditions to proceed to referendum. This section provides an overview of the extent to which the Plan meets three of the five basic conditions. Paragraphs 2.6 to 2.11 of this report have already addressed the issue of conformity with European Union legislation.

National Planning Policies and Guidance

- 6.3 The key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in March 2012.
- 6.4 The NPPF sets out a range of core land-use planning principles to underpin both plan-making and decision-taking. The following are of particular relevance to the Coleford Neighbourhood Plan:
- a plan led system– in this case the relationship between the neighbourhood plan and the adopted Core Strategy and the adopted Allocations Plan;
 - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
 - taking account of the different roles and characters of different areas;
 - always seeking to secure high quality design and good standards of amenity for all future occupants of land and buildings; and
 - conserving heritage assets in a manner appropriate to their significance
- 6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development, which is identified as a golden thread running through the planning system. Paragraph 16 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.
- 6.6 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and the recent ministerial statements.
- 6.7 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the future of the plan area within the context of its position in the settlement hierarchy and the scale of planned development set out in the Core Strategy and the Allocations Plan. It includes a series of policies that seek to refine the policies in

these documents. It has a particular emphasis on promoting economic well-being and in designating local green spaces. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.

- 6.8 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraphs 17 and 154). This was reinforced with the publication of Planning Practice Guidance in March 2014. Its paragraph 41 (41-041-20140306) indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.9 As submitted the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear to me that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension the Plan includes policies for housing and employment development (CTC policies, CE policies and CH policies). In the social role, it includes a policy on community uses (CC1), and on shops and services (CC2). In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on the historic environment (CHE policies) on the natural environment (CNE policies) and seeking to avoid the coalescence of settlements (CNE2). The Town Council has undertaken its own assessment of this matter in the submitted Basic Conditions Statement.

General conformity with the strategic policies in the development plan

- 6.11 I have already commented in detail on the development plan context in the wider Forest of Dean District area in paragraphs 5.4 to 5.8 of this report.
- 6.12 I consider that the submitted Plan delivers a local dimension to this strategic context and supplements the detail already included in the adopted Core Strategy and the Allocations Plan. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the development plan. I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. In particular, it makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the Plan area. The wider community and the Town Council have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (41-004-20170728) which indicates that neighbourhood plans must address the development and use of land.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan. Where necessary I have identified the inter-relationships between the policies.
- 7.6 For clarity this section of the report comments on all policies whether or not I have recommended modifications in order to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

The initial sections of the Plan (Sections 1-3)

- 7.8 These introductory sections of the Plan set the scene for the range of policies. They do so in a concise and proportionate way. The Plan is presented in an exemplary and professional way. It continues in the tradition set by other neighbourhood plans prepared in the District. It is colourful and makes a very effective use of high quality photographs and maps. A very clear distinction is made between its policies and the supporting text. It also draws a very clear connection between the Plan's objectives and its resultant policies.
- 7.9 The initial elements of the Plan set the scene for the policies. They are commendable to the extent that they are proportionate to the Plan area and the subsequent policies. The use of an Executive Summary is particularly helpful for the lay reader. Section 1 provides a very clear introduction to the preparation of the Plan. It also provides information on the key themes arising from public consultation.

- 7.10 Section 2 out the Vision and Objectives for the Plan area. It is clear, concise and proportionate. It is imaginatively-presented. It leaves its readers in no doubt of what it is attempting to achieve.
- 7.11 Section 3 sets out very helpful details about the neighbourhood area. It addresses matters such as social and community matters, employment and transport issues and its physical environment. It very comprehensively describes the character and appearance of the neighbourhood area. It is particularly effective in how it does so for its component areas. The use of tables graphs and charts is particularly powerful.
- 7.12 Section 4 sets out the planning policy context for the Plan. It does so in a professional way. In doing so it helpfully provides a strategic context for the Plan itself. It is also clear that the Plan has taken account of this context. Section 5 includes the various policies. The 24 policies are helpfully introduced in the Table of Contents.
- 7.13 Thereafter Section 6 addresses the implementation and monitoring of the Plan. Section 7 sets out a series of projects. They are non-land use matters which have naturally come forward as part of the production of the Plan. As advised in Planning Practice Guidance these projects sit in a discrete part of the Plan. Finally, the Plan is supported by a series of appendices.
- 7.14 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

Policy CTC1 Site Allocations in the Town Centre

- 7.15 The policy allocates a series of sites for development in the town centre. In most cases they would deliver residential development or mixed development including residential use.
- 7.16 The policy is both detailed and comprehensive. It identifies five sites and then provides a series of criteria that would direct the development of each site in turn. The policy is helpfully supported by section 5.1 of the Plan. Map 6 shows the location of the sites which are addressed in the policy.
- 7.17 Insofar as the policy addresses the individual sites concerned (shown in beige) its overall approach meets the basic conditions. The use of criteria brings clarity and consistency for all concerned in the development process. I recommend modifications to the opening section of the policy (shown in brown) so that it clearly sets the scene for the details on the allocated sites in turn. As submitted the policy introduction is both a context for the development of the five sites and sets out a requirement for parking standards. It also includes elements of supporting text which I recommend should sit within that part of the Plan rather than within the policy itself.
- 7.18 I also recommend an additional element of supporting text to explain the numbering of the five sites. They are included in the Plan with their original numbers as the sites had been assessed with others during the Plan's production. This results in a rather

confusing reference system in the policy where the sites do not follow a logical numbered order and where there is no clarity about other numbered sites. In recommending this modification I have taken account of the comments of the Town Council in response to my clarification note.

- 7.19 In a more detailed fashion I recommend modifications to the wording insofar as it refers to the identified sites themselves. In relation to Marshes and the Police Hub they are of a technical nature. In relation to Lawnstone the recommended modification refers to the interplay between this policy and Policy CC3 which proposes the designation of Local Green Spaces (LGS). I address the Lawnstone issue in greater detail in that policy. However, in summary it is not appropriate to promote such a designation where development proposals are identified and/or where the proposed LGS does not exist at the point at which the Plan was prepared. I also recommend that the text element at the end of the policy commenting that any new development will need to be compatible with other policies in the Plan is deleted. There is no need for this comment as it is a fundamental principle of the planning system that the development plan is considered in the round when determining planning applications. I adopt this approach elsewhere in the Plan in respect of other policies which do likewise. Nonetheless in some cases there is a need to address overlaps with other policies.

Replace the opening part of the policy (brown) with the following:

‘Proposals for development on the five sites listed below will be supported where they are consistent with the following development principles:’

In relation to the five sites listed remove the respective number (4/5/6/7/3) from the beginning of each subsection and replace it in turn at the end of the first sentence of each of the five subsections with the following: ‘The site is identified as site [insert number] on Map 5.’

In the first bullet point of Marshes, Lords Hill replace ‘would be encouraged’ with ‘will be particularly supported’.

Replace the third bullet point of Lawnstone with the following: ‘include open space provision in the southern part of the site’.

In the second bullet point of the Police Hub replace ‘permitted’ with ‘supported’.

Insert the following at the end of the policy:

‘In addition to the parking and access requirements identified for the five specific sites above proposals for residential development of over five dwellings in the town centre will be supported where they meet the requirements of other policies in this Plan and where they provide car parking provision to development plan standards’

Delete the italic comments at the end of the policy (addressing other neighbourhood policies)

At the end of paragraph 5.1.17 add: 'Policy CTC1 identifies a series of development sites in the town centre. They are shown on Map 5. Section 5.7.12 of this Plan identifies potential developer contributions for the sites concerned'.

Policy CTC2 Site Allocations on the edge of the Town Centre

- 7.20 The policy allocates two sites for development on the edge the town centre. The first is St John's Church and the second is Coleford House. The policy is both detailed and comprehensive. It provides a series of criteria that would direct the development of each site in turn. The policy is helpfully supported by section 5.1 of the Plan which deals with the Town Centre. Map 5 shows the location of the sites which are addressed in the policy.
- 7.21 The policy adopts a largely identical format to that used for Policy CTC1. My recommended modifications take on a largely identical format to those highlighted for that policy.
- 7.22 Insofar as the policy addresses the individual sites concerned (shown in beige) its overall approach meets the basic conditions. The use of criteria brings clarity and consistency for all concerned in the development process. I recommend modifications to the opening section of the policy (shown in brown) so that it clearly sets the scene for the details on the allocated sites in turn.
- 7.23 I also recommend an additional element of supporting text to explain the numbering of the two sites. They are included in the Plan with their original numbers as the sites had been assessed with others during the Plan's production. In recommending this modification I have taken account of the comments of the Town Council in response to my clarification note.
- 7.24 In a more detailed fashion I recommend modifications to the wording insofar as it refers to the identified sites themselves. The St John's Church site is the subject of a degree of uncertainty. This is not surprising given the nature of the building itself and the range of organisations involved in its conversion to community and visitor uses. The policy attempts to address this uncertainty by identifying a range of potential uses and their respective priorities. The effect of the wording however is to bring a lack of clarity and structure to the policy. In particular it does not identify how the business case and viability assessments would be considered and at what point alternatives other than the preferred scheme would become acceptable. As such I recommend a modification to simplify the policy so that it provides a range of uses that would be acceptable. I also recommend modifications to some of the criteria in this part of the policy. They either bring the clarity required by the NPPF or relocate supporting text to other parts of the Plan.
- 7.25 Whilst the future of Coleford House has less uncertainty the policy approach adopted follows the same approach as that for St. John's Church. I recommend similar

modification to this part of the policy. I also recommend modifications to some of the criteria in this part of the policy. They either bring the clarity required by the NPPF or relocate supporting text to other parts of the Plan.

Replace the opening part of the policy (brown) with the following: ‘Proposals for development on the two sites listed below will be supported where they are consistent with the following development principles:’

In relation to the two sites listed remove the number (1/2) from the beginning of each subsection and replace it in turn at the end of the first sentence of each of the five subsections with the following:

The site is identified as site [insert number] on Map 5.

Replace the initial section of the policy on St John’s Church (up to ‘the development should’) with:

‘St John’s Church. This former traditional church building is allocated for community and visitor uses. Where appropriate, residential uses and service uses will be supported where they are essential to the wider viability of a community use project. Development proposals for these uses will be supported provided that they:’

Replace the first bullet point with: ‘take account of the integrity of the building and respect its status as a listed building’.

At the end of the sixth criterion add ‘the site’

Replace the initial section of the policy on Coleford House (up to ‘would be supported’) with: ‘Coleford House. This former school building is allocated for a mixed-use conversion or for redevelopment for residential, services and tourism uses.’

In the eighth bullet point of the policy replace ‘could be’ with ‘are’.

Delete the italic comments at the end of the policy (addressing other neighbourhood policies)

At the end of paragraph 5.1.17 (and after the additional text recommended in relation to Policy CTC1) add: ‘Policy CTC2 identifies a series of development sites on the edge of the town centre. They are shown on Map 5. Section 5.7.12 of this Plan identifies potential developer contributions for the sites concerned’.

Policy CTC3 Enhancing Coleford Town Centre

- 7.26 This policy offers support for proposals which would enhance the public realm in the town centre. The generality of its approach meets the basic conditions. Nevertheless, I recommend that ‘encouraged’ is replaced with ‘supported’.

- 7.27 Its details provide a series of examples which could be included within the context of the policy. I recommend that this aspect is modified so that the schedule reads as a schedule of proposals which would be particularly supported.
- 7.28 The final criterion of the policy refers to the potential for the various projects to generate the need for developer contributions. This aspect of the policy would not sit within the context that I have recommended above. In any event it is a matter of supporting policy rather than policy itself. As such I recommend that it is relocated to the supporting text.
- 7.29 The Town Council has helpfully clarified that the footnote link (18) in the policy is incorrect. I recommend its deletion.

In the opening part of the policy (brown) replace ‘encouraged’ with ‘supported’.

Replace the sentence before the bullet points with: ‘The following proposals will be particularly supported’

Delete the final bullet point.

Delete the footnote (18) from within the policy

At the end of paragraph 5.1.17 (and after the additional text recommended in relation to Policy CTC1 and CTC2) add: ‘Policy CTC3 identifies a series of development opportunities in the public realm. Section 5.7.12 of this Plan may also apply to sites of this nature on a case-by-case basis’.

Policy CTC4 Supporting Town Centre Retail and Service Provision

- 7.30 This policy is the fourth and final policy which addresses the town centre. Its focus is on retail and service provision. In accordance with national and local policy its ambition is on supporting proposals that would enhance its vitality and viability.
- 7.31 The final criterion of the policy refers to the potential for the various projects to generate the need for developer contributions. This aspect of the policy does not sit within the context set by the policy’s structure. In any event it is a matter of supporting policy rather than policy itself. As such I recommend that it is relocated to the supporting text.
- 7.32 The penultimate paragraph of the policy refers to the potential change of use of retail facilities. Its ambition is clear. Nevertheless, its policy language is unclear. I recommend accordingly.

Delete the final bullet point.

In the penultimate paragraph of the policy replace ‘are considered acceptable’ with ‘will be supported’ and will be resisted with ‘will not be supported’.

Delete the comments at the end of the policy (addressing other neighbourhood policies)

At the end of paragraph 5.1.17 (and after the additional text recommended in relation to Policy CTC1/CTC2/CTC3) add: 'Policy CTC4 offers support for new retail and commercial development. Section 5.7.12 of this Plan may also apply to sites of this nature on a case-by-case basis'.

Policy CE1 Supporting Tourism Development

- 7.33 This policy provides a supportive context for the maintenance or expansion of tourism and related facilities. The importance of this issue to the local economy is highlighted in paragraphs 5.2.9 to 5.2.11.
- 7.34 In general terms the policy meets the basic conditions. However, I recommend the deletion of its final paragraph which makes references to other Plan policies.

Delete the final paragraph of the policy (addressing other neighbourhood policies)

Policy CE2 Protecting and Supporting the development of local employment

- 7.35 This policy sets out to safeguard existing employment uses in the neighbourhood area. It has two parts. The first identifies a series of circumstances where proposals for a change of use of employment operations to other uses will be supported. The second part of the policy offers support for the improvement or expansion of existing employment uses. These two component parts sit within the context provided an overview of the policy (in brown).
- 7.36 The introduction to the policy (in the brown box) is more a statement of intent rather than a policy. It comments that existing employment generating uses outside the town centre should be retained or kept primarily for future employment. I recommend that this initial part of the policy is modified so that it provides a policy context for its component parts.
- 7.37 The first part of the policy identifies a series of circumstances where a change of use of employment operations to other uses will be supported. They mainly relate to viability issues or where such development would help to retain a heritage asset. I recommend two modifications to bring the clarity required by the NPPF. The first simplifies the criterion on the period for which a property needs to have been vacant. The second sets out to bring clarity on the economic benefits that may arise from an alternative tourism proposal.
- 7.38 The second part of the policy sets out to identify the characteristics of proposals that would secure support for the expansion of existing employment uses. I recommend that this matter is made absolutely clear rather than simply referring the employment uses as 'such uses'. I also recommend that the policy is redefined so that all its criteria need to be achieved as appropriate to the site concerned.

- 7.39 I also recommend that the order of the components of the policy is reversed. The existing second part of the policy is the more positive of its two components.

Replace the first part of the policy (in brown) with: ‘The Plan supports the retention and the improvement of the economic well-being of the neighbourhood area’

Reverse the order of the first and second parts of the policy.

In the first part of the policy (first criterion) delete ‘a considerable period of time’.

In the first part of the policy (third criterion) delete ‘specifically.... King’s Head’.

In the first part of the policy (fourth criterion) replace ‘significant’ with ‘demonstrable’.

In the second part of the policy replace ‘such uses’ with ‘existing employment-generating uses’. Insert semi-colons after the first two criteria and ‘; and’ after the third criterion.

Delete the final paragraph of the policy (addressing other neighbourhood policies)

Policy CE3 Connectivity and digital communications

- 7.40 As submitted the purpose of the policy is unclear. The Town Council clarified that the policy seeks to ensure that all new residential and commercial development is designed to be connected to high quality communications infrastructure. Plainly this will assist in improving the economic and social well-being of the neighbourhood area. I recommend a modification accordingly.

Replace the policy with: ‘Subject to such proposals complying with other development plan policies new residential, employment and commercial development will be supported where it incorporates new digital connectivity or improves the existing provision’.

Policy CE4 Development other than housing

- 7.41 This policy reads in a very different way to the earlier policies in the Plan. It effectively sets out its agreement to the allocation of Tufthorn Avenue as an employment site in the Allocations Plan (AP60). It also cross-refers to its support for health facilities as set out later in the Plan.
- 7.42 The elements of the policy are neither necessary nor add any value to other policies. The Tufthorn Avenue site is already allocated and Policy CTIPA3 addresses health issues in the town. On this basis I recommend the deletion of the policy. I also recommend the deletion of associated elements of supporting text.

Delete policy

Delete paragraphs 5.2.14 and 5.2.15

Policy CH1 Small housing development sites

- 7.43 This policy sets the scene for the development of infill windfall sites throughout the neighbourhood area within the Plan period. It offers support on sites of less than ten dwellings within the defined settlement boundaries where they respect the character of the area and meet local needs.
- 7.44 The generality of the policy meets the basic conditions. Its focus on infill development within defined settlements will contribute towards the delivery of sustainable development. Nevertheless, the policy artificially restricts infill development sites to less than ten dwellings. Whilst in practical terms most sites are likely to be of this scale the proposed size restriction may not assist in bringing sites forward. It may also inhibit imaginative design. On this basis I recommend a modification to address this matter. In doing so the modified policy retains the character issues. In the context of the recommended modified policy the size of the site and its character will determine its ultimate yield. Plainly this will be a matter of judgement on a site-by-site basis as planning applications are determined.

Delete ‘of less than ten dwellings’

Delete the final paragraph of the policy (addressing other neighbourhood policies)

Policy CH2 New Housing Development

- 7.45 This policy offers support to new housing development within the defined Coleford settlement boundary. It does so to good effect within the context of a criteria-based policy format.
- 7.46 The policy’s opening section refers to the need for new housing development to meet Coleford’s housing needs. This overlaps with the sixth criterion of the policy. I recommend a modification to address this overlap. It has the ability to detract from its overall clarity.
- 7.47 I also recommend that ‘and’ is included after the penultimate criterion. This will ensure that an applicant will need to comply with all the criteria insofar as they are relevant to the proposal concerned. I also recommend detailed modifications to some of the criteria

Replace ‘when it....in that it’ with ‘subject to the following criteria’

At the beginning of each criteria add ‘it’

Replace the sixth criteria with ‘it addresses the housing needs in Coleford in terms of quantity, type, tenure mix and accessibility’

In the seventh criteria delete ‘in a similar.....dormer-bungalows’

In the eighth criterion delete ‘on the ground.... statement’

Delete the final criterion

Delete the final paragraph of the policy (addressing other neighbourhood policies)

Policy CH3 Sites outside the town centre

- 7.48 This policy seeks to add further detail and clarification to the some of the sites in the Allocations Plan that sit in the neighbourhood area. The Town Council has helpfully clarified its purpose and have advised about the issues that have arisen as the Main Modifications were being developed as part of the evolution of the Allocations Plan.
- 7.49 Whilst I understand the approach that has been taken it does not have the clarity required by the NPPF. It also fails to take account of the very advanced nature of the Allocations Plan at that time. In particular there is no need for the submitted Plan to allocate separately these or any other sites. Equally the approach adopted for Poolway Farm seeks to unpick progress on the Allocations Plan without any evidence for doing so.
- 7.50 Nevertheless the Town Council has advised that the primary purpose of this policy is to add value to the details of the various policies in what was at that time the emerging Allocations Plan. I will approach recommending modifications in this context. The recommended modifications to this policy will sit within the wider context provided by the Allocations Plan as now adopted. I also recommend some detailed modifications to the site-by-site criteria. They are intended to bring clarity to the policy for long-term development management purposes.

Replace the initial (brown) part of the policy with:

‘Development will be supported on the following sites identified in the Forest of Dean Allocations Plan 2026 which include’.

Modify the detailed (beige) part of the policy to read as follows:

Ellwood Road, Milkwall (AP64)

Proposals will be supported which include the following features:

[list the bullet points included in the submitted Plan with the following detailed modifications]

In the third bullet point delete ‘easy’.

In the fourth and fifth bullet points insert ‘have’ at the beginning.

Replace the sixth bullet point with: ‘satisfactorily address bat routes and groundwater issues’.

In the seventh bullet point insert ‘consider’ at the beginning and replace ‘recreation.... nearby’ with ‘recreation and leisure facilities’.

North Road, Broadwell (AP65)

Proposals will be supported which include the following features:

[list the bullet points included in the submitted Plan with the following detailed modifications]

Replace the first criterion with ‘access from North Road with any visibility splay improvements’.

In the second criterion delete ‘e.g. chimneys, layout’.

In the third bullet point insert ‘have’ at the beginning.

Replace the fourth bullet point with: ‘satisfactorily address any sewerage infrastructure network issues’.

Kings Meade (AP66)

Proposals will be supported which include the following features:

[list the bullet points included in the submitted Plan with the following detailed modifications]

Replace the first bullet point with ‘the delivery of smaller homes including bungalows and lifetime homes’.

Replace the second bullet point with ‘the design and layout respect the character of the site and its surroundings’.

In the third bullet point replace ‘careful respect’ with ‘the layout carefully respects’.

Replace the fourth bullet point with: ‘satisfactorily address any sewerage infrastructure network and drainage issues’.

Tufthorn Avenue (AP67)

Proposals will be supported which include the following features:

[list the bullet points included in the submitted Plan with the following detailed modifications]

In the first bullet point insert ‘the provision’ at the beginning and replace ‘for employment site opposite’ with ‘other employment sites in the immediate locality’.

Replace the second criteria with the following; ‘provide a design solution that respects the mixed-use development and the character of the site and its surroundings’.

Replace the third criterion with ‘take account of traffic capacity in the immediate locality of the site’.

In the fourth bullet point replace ‘careful respect for’ with ‘the layout carefully respects’.

Poolway Farm (AP63)

Proposals will be supported which include the following features:

[list the bullet points included in the submitted Plan with the following detailed modifications]

In the first bullet point insert ‘a’ at the beginning and ‘of houses’ after ‘mix/size’. Replace ‘noting the importance of’ with ‘giving particular importance to’

In the second bullet point insert ‘the use of’ at the beginning.

Replace the third bullet point to read: ‘the use of careful design to facilitate the access from Gloucester Road to take account of the traffic movements into the Bakers Hill junction.

Replace the fourth bullet point with ‘the retention of Poolway Farmhouse’

Delete the fifth bullet point

Delete the final paragraph of the policy (addressing other neighbourhood policies)

Policy CC1 Retaining and enhancing community services

- 7.51 This policy sets out the Plan’s approach to community facilities. It has two strands. The first supports proposals that would enhance existing facilities subject to a series of criteria. The second identifies how community facilities would be safeguarded and in particular how proposals for their redevelopment would be considered. In combination these strands of policy will assist significantly in promoting the social element of sustainable development in the neighbourhood area.
- 7.52 Whilst the thrust of the policy is clear some of its detailed elements are far less clear. In particular the brown part of the policy is not designed in a policy format and provides two examples of community facilities. In addition, Table 10 identifies a schedule of key community facilities within the wider context of all the community facilities listed in Appendix F. The matter is further complicated as the local community has access to community facilities outside the neighbourhood area. The submitted Plan cannot apply policies to facilities outside the neighbourhood area. The Town Council has usefully submitted an updated Appendix F which addresses this issue. The reference to Appendix F in the recommended modifications below is to the updated version.
- 7.53 I recommend modifications to address these various matters. In particular I recommend a replacement of the initial (brown) section of the policy to provide a general context to the details of the policy itself.
- 7.54 In addition I recommend modification to the details of the policy. In particular the recommended modification to its second part provides the necessary clarity and

extends its remit to applications for change of use (rather than simply redevelopment).

Replace the initial part of the policy with: ‘The Plan will support proposals that will safeguard and/or enhance the community facilities in the neighbourhood area as listed in Appendix F’.

In the first part of the policy (on enhanced facilities) insert ‘and’ after the third criterion.

In the second part of the policy replace ‘Redevelopment...under’ with ‘Proposals for the redevelopment or change of use of the community facilities in the neighbourhood area listed in Appendix F will only be supported in’.

In the second criterion replace ‘where part-residential’ with ‘where a part residential, part community use’

Delete the italic comments at the end of the policy (addressing developer contributions)

Policy CC2 Shops and Services in the Arc of Settlements

7.55 This policy recognises the role of retail facilities in the neighbourhood area outside the town centre. It highlights that local shops and services can contribute towards the inherent sustainability of a place or community. The policy addresses both proposals for the enhancement of existing retail units (the brown part) and for proposals which might lead to the loss of retail units and services (the beige part).

7.56 I recommend two modifications. The first deletes the example highlighted in the brown part of the policy. The second deletes unnecessary elements of the beige part of the policy – a retail use or other service may become unviable for a whole range of reasons and which may include under-use by the community.

In the brown part of the policy replace ‘these’ with ‘the facility concerned’ and delete e.g. Milkwall’

In the beige part of the policy delete ‘in its present location.... Local Plan CSP8)’

Delete the italic comments at the end of the policy (addressing developer contributions)

Policy CC3 Local Green Spaces

7.57 This policy proposes the designation of 37 local green spaces (LGSs). The proposed LGSs are helpfully identified in detail in Appendix H of the Plan. This appendix analyses the proposed areas on a site-by-site basis against the criteria in NPPF paragraph 77. It does so in a commendable way both in its own right and given the number of proposed designations in particular.

- 7.58 The majority of the proposed LGSs are modest and provide informal recreational facilities for children within their immediate locality. Others such as the concentration of open spaces at the western end of Victoria Road are larger and provide more formal recreational facilities. With two exceptions which are addressed below I am satisfied that the range of LGSs meet the criteria set out in the NPPF.
- 7.59 The Bale Field Playground (LGS36) would otherwise comfortably meet the criteria for LGS designation. However, it is outside (albeit adjacent to) the neighbourhood area. On this basis it cannot be incorporated into this neighbourhood plan. As such I recommend its deletion.
- 7.60 The proposed Lawnstone LGS (5) is an unusual proposal. At the time of my visit the area was an untidy open space adjacent to the FDDC offices. It is proposed for development both in the Allocations Plan and this Plan. Whilst I accept that the emerging development will include a degree of open space its extent is uncertain. In any event a Plan cannot designate an area as LGS before it has been established and can be assessed directly against the criteria in the NPPF. As such I recommend its deletion.
- 7.61 I also recommend a modification to the policy itself. As submitted it fails to bring the protection envisaged by paragraph 78 of the NPPF. The policy merely indicates that they will 'become areas for special protection' without clarifying the nature of that protection.

Replace the policy to read:

**'The following areas as shown on Map 8 are designated as Local Green Spaces [List the various sites minus Lawnstone (5) and Bale Field (36)]
New development will not be supported on land designated as local green space except in very special circumstances.'**

Policy CC4 Surrounding Settlements

- 7.62 The Town Council helpfully clarified the purpose of this policy in its response to my clarification note. The policy clearly refers to an ambition to maintain the separation and the distinctive identity of the settlements within the neighbourhood area that surround Coleford. Given their scale and geography they are referred to as the Eastern and Southern Arcs. I recommend that the title of the policy is modified so that has clarity and a direct relationship to the policy itself.
- 7.63 I also recommend modifications to the brown section of the policy. As submitted the effectiveness of the policy is significantly hampered by its language

Modify the title of the policy to read: 'Maintaining the separation and distinctive identity of settlements'.

In the first part of the policy delete the two 'seek to'

Delete the italic comments at the end of the policy (addressing developer contributions)

Policy CHE1 Protecting and Enhancing Local Character

- 7.64 This policy provides an important context for the protection and enhancement of local character. It provides a direct linkage to the FDDC Residential Design Guide and to the general policies in the Allocations Plan. It does so to good effect.
- 7.65 The first part of the policy (brown) includes some supporting text which I recommend is deleted. In the second part of the policy I recommend that the references to certain features being ‘encouraged’ are replaced with ‘supported’.

In the initial part of the policy delete its first sentence

In the second part of the policy replace ‘encouraged with supported (second sentence) and ‘are encouraged’ with will be ‘supported’ (third sentence).

Delete the italic comments at the end of the policy (addressing developer contributions)

Policy CHE2 Protecting Heritage Assets

- 7.66 This policy refers specifically to heritage assets. It addresses both designated and non-designated assets. The latter are listed both in the policy itself and in Appendix A. The policy as submitted lacks clarity. Its opening section seeks to protect and enhance the various assets ‘by putting in place measures to avoid or minimise impact or mitigate damage to those assets’. It does not provide certainty to the development management process.
- 7.67 On this basis I recommend modifications to the policy. In combination they will define the non-designated assets and provide a policy context to applications which may affect their integrity. In doing so I provide a context directly back to the NPPF which addresses this matter and the relationship between the harm and the status of the asset concerned.

Insert at the beginning of the policy (brown): ‘The neighbourhood plan identifies the following properties as non-designated assets.’

Delete ‘seek to’.

Delete the second sentence of the opening part of the policy.

Add a separate paragraph after the separate schedule of policies to read:

‘Developments that would detrimentally affect the integrity and/or the setting of either designated or the identified non-designated heritage assets in the neighbourhood area will not be supported unless the harm to the significance of the heritage asset concerned is outweighed by the public benefits that would arise from the proposed development.’

Policy CNE1 Protecting and Enhancing Local Landscape Character

- 7.68 This policy seeks to contribute towards local landscape character in the neighbourhood area. It proposes overlapping criteria both for general development and specifically for recreation and tourist developments.
- 7.69 I recommend that the initial (brown) part of the policy is replaced with a general policy statement. As submitted it is contextual supporting text. I also recommend that the second part of the policy addressing recreation and tourist development is modified so that it identifies a policy context for the basis on which such schemes would be supported (rather than being given special consideration).

Replace the opening part of the policy (brown) with: ‘New development should protect and enhance local landscape character in Coleford and its surrounding settlements’.

At the beginning of the first part of the policy (beige) insert: ‘Subject to other development plan policies’

In the third bullet point delete ‘including using TPOs’

In the fifth bullet point delete ‘e.g. Bridge’ and add ‘; and’ at the end

In the sixth bullet point delete ‘e.g. green roofs’

Replace the introductory part of the second part of the policy to read: ‘New recreation and tourism development will be supported where it would’

Delete the final paragraph of the policy (addressing other neighbourhood policies)

Policy CNE2 Green Ring

- 7.70 This is an important policy within the wider context of the Plan. It identifies a Green Ring to protect the historic and natural setting of the town within its natural bowl. Its key element is the identification of three distinctive areas within the bowl. Zones 1 and 2 are identical to the ‘Locally Valued Landscapes’ identified in the Allocations Plan. The submitted neighbourhood plan identifies a third area to the south of the town (Zone 3).
- 7.71 I sought clarification from the Town Council on the evidence for this additional allocation. I was advised about its built and natural environments and its wider landscape. From the observations of the area I am satisfied that this part of the neighbourhood area is worthy of such protection.
- 7.72 The policy itself has few elements of direct policy. Instead it offers general commentary on the character and appearance of the Green Ring. I recommend modifications accordingly so that it adopts a policy-based context. This will ensure that the areas concerned can be safeguarded through the development management process.
- 7.73 I also recommend the deletion of references in the policy and the supporting text to the Lower Lane site. Whilst I recognise the views of the community on this matter

planning permission for the residential development of the site has now been granted on appeal. Plainly it would be inappropriate to include land within a Green Ring which has the benefit of planning permission. In coming to this recommendation, I am aware that FDDC has very recently sought to challenge this decision. Plainly this matter will be decided in the courts and is beyond the scope of this examination. On this basis my recommended modification reflects in a matter of fact way the position that exists when this report was sent to the District Council and the Town Council.

- 7.74 Given the way in which the policy has been drafted it is difficult to modify in the way that I have done so for other policies. As such I recommend that it is replaced as follows:

‘Brown: The Neighbourhood Plan identifies a Green Ring to protect the historic and natural setting of Coleford

Beige: Within the identified Green Ring Zones 1-3 land will be protected from development that would detract from the open setting of Coleford

Within Green Ring Zones 1-3 proposals that would consolidate or enhance outdoor recreational facilities and to assist in the delivery of biodiversity objectives will be supported.’

Delete paragraph 5.6.7 and replace with: ‘Within the Green Ring the following areas are particularly important [list the areas in the third paragraph of the submitted policy minus the one on Lower Lane]’.

At the end of 5.6.6 add the first paragraph of the submitted policy.

Amend Map 10 accordingly (to reflect the modifications to 5.6.7 above).

Policy CNE3 Green Infrastructure

- 7.75 This policy addresses green infrastructure. Its detailed part (beige) sets out measures that developers will be expected to assess when developing planning applications.
- 7.76 The general approach towards protecting safeguarded species has regard to national policy. Nevertheless, the opening part of the policy (brown) is supporting text rather than policy. In addition, the detailed part of the policy (beige) is more process based (identifying what a developer will be required to assess) rather than directly policy. I recommend modifications to address these matters

Replace the opening part of the policy (brown) to read: ‘Development proposals should safeguard protected species and habitats’.

Replace the opening part of the detailed element of the policy (beige) to read: ‘Subject to other development plan policies development proposals will be supported where they safeguard protected species and habitats. Development proposals should’

In the first criterion delete ‘For example.... SAC’

Policy CITPA1 Transport and Movement

- 7.77 This policy sets out requirements for the level of information to be submitted with planning applications which have an impact on traffic and movement. It addresses a series of important factors in the town such as the Market Place/Gloucester Road traffic lights and the greater use of public transport.
- 7.78 Several elements of the policy are more about the processing of planning applications rather than directly relating to policy matters. I sought clarification from the Town Council and it set out the need for clarity on traffic mitigation measures. I have considered these matters carefully. I recommend that the policy is recast so that it identifies the generality of the approach adopted. I then recommend that the detailed proposals and mitigation measures are repositioned into the supporting text. Plainly different proposals will have different effects on the highway network. Some will need mitigation and others will not. On this basis the inclusion of mitigation measures directly in the policy is inappropriate.

Replace the policy with: ‘Subject to other development plan policies development proposals will be supported where they can be satisfactorily incorporated within the existing highway network or where appropriate mitigation works can be undertaken’

Insert the following at the end of paragraph 5.7.3: ‘Policy CITPA1 sets out the Plan’s approach to traffic and movement issues. It offers the opportunity for mitigation measures where appropriate. The following measures in particular should be addressed where necessary as part of any mitigation measures [at this point include the five bullet points included in the submitted Plan]’.

Policy CITPA2 Through Routes and Gateways

- 7.79 This policy identifies the circumstances in which development proposals will be supported where they would impact on gateways or on through routes. As with Policy CITPA1 it contains a degree of both policy and process.
- 7.80 I recommend modifications so that it adopts a supportive approach subject to criteria which describe a series of mitigation measures

Replace the initial (brown) part of the policy with: ‘Development proposals which would have adverse impacts on through routes or gateways as shown on Map 3 will only be supported where they:’

In the first bullet point add ‘incorporate’ at the start.

In the second bullet point replace ‘enhancing’ with ‘enhance’.

Policy CITPA3 Local infrastructure for health and well-being

- 7.81 This policy offers support both for a primary care health centre and a Forest of Dean hospital. The policy supports the hospital where it is co-located with any primary care centre.

- 7.82 The policy is entirely appropriate. It provides an appropriate context for important community and health facilities. I recommend modifications so that its various components have the clarity required by the NPPF. I also recommend that the first bullet point of each of the two sections are deleted and replaced in the supporting text. As submitted the criteria are prescriptive and the size thresholds may vary during the Plan period.

Replace the opening part of the policy (brown) with: ‘The neighbourhood plan supports the development of a primary care health centre and the Forest of Dean hospital in the neighbourhood area’

Add a new section before the first set of bullet points to read: The development of a primary health care facility will be supported where it meets the following locational and practical criteria:

Delete the first bullet point

Replace ‘Should the agreed.... Hospital’ with ‘In the event that the Forest of Dean Hospital is chosen to be located in the neighbourhood area such a proposal will be supported subject to the following criteria:’

Delete the first bullet point.

At the end of paragraph 5.7.14 add the following additional supporting text: ‘Plainly the scale and nature of the facilities may alter as they are worked up in further detail. However, at this stage it is envisaged that the primary care centre would occupy around 700-1000 square metres. A District Hospital would be likely to need a site in the order of two hectares’

Policy CITPA4 Flooding and increased capacity in water systems

- 7.83 The policy sets out to take appropriate opportunities from new development to reduce the flood risk in Coleford. Paragraph 5.7.20 identifies areas where there are higher flood risks than elsewhere in the neighbourhood area.
- 7.84 I have some sympathy for the approach adopted by the Town Council. Nevertheless, it is not the role of the planning system to require that new development addresses or resolves existing infrastructure capacity issues. Rather all new developments are expected to provide drainage and surface water facilities appropriate to their scale, type and location.
- 7.85 As such I recommend that the policy is simplified so that it requires new development to resolve its own technical issues on this matter. Elements of the submitted policy are also recommended to be transferred into the supporting text.

Replace the policy with: ‘New development proposals should be designed in a fashion that provides appropriate levels of capacity in water systems and to prevent flooding’.

At the end of paragraph 5.7.20 add: 'In general terms all new developments other than minor domestic or commercial extensions will be expected to be accompanied by a Flood Risk Assessment to national and local specifications'.

Other Matters

- 7.86 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for FDDC and the Town Council to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

Modification of general text (where necessary) to achieve consistency with the modified policies.

Projects

- 7.87 Section 7 of the Plan identifies a series of non-land use projects. In some case they add value or overlap with the policies identified earlier in the heart of the Plan. In summary they are:
- Coleford Town Centre
 - Economy
 - Housing
 - Community and Community Facilities
 - Historic Environment
 - Natural Environment
 - Infrastructure, Transport and Pedestrian Access
- 7.88 These various projects have their own integrity. In particular they have naturally arisen from the Plan-making process. They are distinctive to the Plan area. They are entirely appropriate to feature in the submitted Plan in this way.

8 Summary and Conclusions

Summary

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2026. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following my independent examination of the Plan I have concluded that the Coleford Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.
- 8.3 This report has recommended some technical modifications to the policies in the Plan. Nevertheless, it remains fundamentally unchanged in its role and purpose.

Conclusion

- 8.4 On the basis of the findings in this report I recommend to the Forest of Dean District Council that subject to the incorporation of the modifications set out in this report that the Coleford Neighbourhood Development Plan should proceed to referendum.

Referendum Area

- 8.5 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by the District Council on 11 July 2013.

8.6 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner. The Town Council's responses to my Clarification Note were very helpful in preparing this report.

Andrew Ashcroft
Independent Examiner
2 July 2018